

EXHIBIT

“A”

Mississippi Electronic Courts
Seventh Circuit Court District (Hinds Circuit Court - Jackson)
CIVIL DOCKET FOR CASE #: 25CI1:22-cv-00209-EFP

TYNES v. THE KROGER CO et al
Assigned to: Judge Eleanor Faye Peterson

Date Filed: 04/07/2022
Current Days Pending: 127
Total Case Age: 127
Jury Demand: None
Nature of Suit: Negligence - General (181)

Upcoming Settings:

None Found

Plaintiff

MARTHA KAY TYNES

represented by **Daryl M Newman**
Williams Newman Williams, PLLC
P.O. Box 23785
JACKSON, MS 39201
601-949-5080
Fax: 601-949-3358
Email: matt@wnwlegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

THE KROGER CO

Defendant

PAUL CARR

Defendant

JESSICA TILLMAN HOLLY

Defendant

JOHN DOES 1-3

Date Filed	#	Docket Text
04/07/2022	2	COMPLAINT against AND JOHN DOEDS 1-3, PAUL CARR, JESSICA TILLMAN HOLLY, THE KROGER CO, filed by MARTHA KAY TYNES. (Attachments: # 1 Civil Cover Sheet,) (MG) (Entered: 04/07/2022)
04/07/2022	3	SUMMONS Issued to JESSICA TILLMAN HOLLY. (MG) (Entered: 04/07/2022)
04/07/2022	4	SUMMONS Issued to THE KROGER CO. (MG) (Entered: 04/07/2022)
04/07/2022	5	SUMMONS Issued to PAUL CARR. (MG) (Entered: 04/07/2022)
07/27/2022	6	SUMMONS Returned Executed by MARTHA KAY TYNES. Re: ** 3 SUMMONS Issued to JESSICA TILLMAN HOLLY. (MG)** JESSICA TILLMAN HOLLY served on

		7/14/2022, answer due 8/13/2022. Service type: Personal (Newman, Daryl) (Entered: 07/27/2022)
07/27/2022	7	SUMMONS Returned Executed by MARTHA KAY TYNES. Re: ** 4 SUMMONS Issued to THE KROGER CO. (MG)** THE KROGER CO served on 7/27/2022, answer due 8/26/2022. Service type: Personal (Newman, Daryl) (Entered: 07/27/2022)
08/04/2022	8	MOTION for Extension of Time to Serve Defendant by Plaintiff MARTHA KAY TYNES, Defendant PAUL CARR (Newman, Daryl) (Entered: 08/04/2022)
08/10/2022	9	SUMMONS Returned Executed by MARTHA KAY TYNES. Re: ** 5 SUMMONS Issued to PAUL CARR. (MG)** PAUL CARR served on 8/5/2022, answer due 9/4/2022. Service type: Personal (Newman, Daryl) (Entered: 08/10/2022)

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

**THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3**

DEFENDANTS

**COMPLAINT
{Jury Trial Requested}**

COMES NOW the Plaintiff, Martha “Kay” Tynes, by and through Counsel undersigned, and files this Complaint against the Defendants, The Kroger Co. (hereinafter referred to as “Kroger”), Paul Carr, Jessica Tillman Holly and John Does 1-3 and in support thereof, would respectfully show unto the Court the following:

PARTIES

1.

The Plaintiff, Kay Tynes, is a resident citizen of Citizen, in Hinds County, Mississippi.

2.

Defendant, The Kroger Co., is a foreign corporation licensed to do business in the state of Mississippi with its principal office located at 1014 Vine St. in Cincinnati, Ohio and who may be served with process through its registered agent for process Corporation Service Company at 7716 Old Canton Rd., Suite C, Madison, MS 39110.

3.

Defendant Paul Carr is an adult resident citizen of Jackson, in the First Judicial District of Hinds County, Mississippi, who may be served with process of this Court by serving him at his place of residence at 429 Gallatin Street, Jackson, Mississippi 39203.

4.

Defendant Jessica Tillman Holly is an adult resident citizen of Byram, in the First Judicial District of Hinds County, Mississippi, who may be served with process of this Court by serving her at her place of residence at 333 Mallory Drive, Byram, Mississippi 39272.

5.

John Does 1-3 are entities and/or other individuals, including but not limited to, employees, agents, owners and operators of Kroger in Byram, Mississippi, who are liable to Plaintiff and who maintained authority and discretion regarding the maintenance of, control of, or standards for the safety procedures of Kroger.

JURISDICTION

6.

Venue for this Cause properly lies in the First Judicial District of Hinds County, Mississippi, for the reason that the incident that forms the basis of this Complaint occurred in the First Judicial District of Hinds County, Mississippi.

7.

At all pertinent times, Defendant Kroger owned, possessed, controlled, and/or managed or provided security for Kroger located at 6745 S. Siwell Road in Byram, Mississippi.

8.

On or about, June 27, 2020, Plaintiff was a guest of Kroger in Byram, Mississippi located at 6745 S. Siwell Road. Plaintiff was walking in the store when she was tripped by a broken pallet in the aisle. Defendants did not have this area marked for caution and presented an unknown danger to the Plaintiff. Defendants were aware this condition existed, had been previously warned and requested to correct the condition, and took no measures to remove the

danger from the aisle or to warn of the hidden danger.

9.

Plaintiff received injuries including, but not limited to her arm, neck, back, hand and other injuries to her muscular, skeletal, and nervous systems.

10.

Contributing and/or proximate factors or causes of the injuries of the Plaintiff include, but are not limited to, the Defendant's failure to maintain a safe environment, to maintain their property in a manner which is reasonably safe for public use, reasonable care in hiring and retention of competent and safety-oriented employees. Defendants were negligent in the duties to hire and retain employees, to properly train their employees in the duty to maintain a safe environment for invitees in order to protect those invitees from injuries, including that suffered by the Plaintiff.

NEGLIGENCE OF KROGER CO.

11.

Plaintiff adopts by reference the foregoing paragraphs as fully set forth herein.

12.

Contributing and/or proximate factors or causes of the serious injuries of the Plaintiff caused by the negligent of Defendant Kroger include, but are not limited to, the failure to maintain their property in a manner which is reasonably safe for public use; failure to inform guests including Plaintiff of the unsafe area where she tripped by means of markings and/or caution of any type; failure to hire and maintain an inadequate amount of personnel; failure to hire, supervise and maintain proper safety on the property; failure of the proper owner to provide adequate instruction and supervision of the floor crew as well as management and employees,

and creating and enabling the unsafe conditions of the Kroger property in general; failure to adequately maintain and perform safety on the property; allowing the building floors to be inadequately safe, maintained, monitored, cleaned, and failed to instruct its employees to check the floor for any faults; failure to place a warning cone or warning sign or provide a warning to guests in the area of the dangerous condition in the aisle; failure to follow its policy and procedure regarding cleaning, maintenance and monitoring the floors for defects and/or tripping hazards; strict liability; negligence per se; negligence based upon reasonable foreseeability; and negligence based on assumption of duty. Plaintiff asserts any other act of negligence that may apply and exist but has not been discovered at this time but may be discovered during discovery.

13.

Defendant was negligent in that it did not maintain the floor surface in a safe condition, did not properly warn Plaintiff of the unreasonably dangerous condition on the floor, did not properly inspect the floor for hazardous conditions, or take steps to correct the dangerous condition.

14.

Defendant knew or in the exercise of reasonable care, should have known that Plaintiff would be subject to accident and injury from the condition in the aisle/walkway where Plaintiff was tripped. Plaintiff was without notice and unaware of the fact said floor/area was dangerous. Plaintiff used due care for her own safety when on Defendants' property, and in no manner contributed to the accident.

NEGLIGENCE OF PAUL CARR

15.

Plaintiff adopts by reference the foregoing paragraphs as if fully set forth herein.

16.

The Plaintiff charges Defendant Carr with negligence in failure to maintain the property in a manner which is reasonably safe for public use; failure to inform guests including Plaintiff of the unsafe area where she tripped by means of markings and/or caution of any type; failure to place a warning cone or warning sign or provide a warning to guests in the area of the condition of the aisle; failure to follow the policy and procedure regarding cleaning, maintenance and monitoring the floors for defects; failing to take measures to remove the dangerous condition prior to Plaintiff's injury; negligence per se; negligence based upon reasonable foreseeability; and negligence based on assumption of duty. Plaintiff asserts any other act of negligence that may apply and exist but has not been discovered at this time but may be discovered during discovery.

17.

Defendant Carr was negligent in that he did not maintain the floor surface in a safe condition, did not properly warn Plaintiff of the unreasonably dangerous condition on the floor, did not properly inspect the floor for hazardous conditions, or take steps to correct the dangerous condition.

18.

Defendant Carr knew or in the exercise of reasonable care, should have known that Plaintiff would be subject to accident and injury from the condition on the floor and in her path of travel. Plaintiff was without notice and unaware of the fact said floor and aisle area was dangerous. Plaintiff used due care for her own safety when on Defendants' property, and in no manner contributed to the accident.

NEGLIGENCE OF JESSICA HOLLY

19.

Plaintiff adopts by reference the foregoing paragraphs as if fully set forth herein.

20.

The Plaintiff charges Defendant Holly with negligence in failure to maintain the property in a manner which is reasonably safe for public use; failure to inform guests including Plaintiff of the unsafe area where she tripped by means of markings and/or caution of any type; failure to place a warning cone or warning sign or provide a warning to guests in the area of the condition of the aisle; failure to follow the policy and procedure regarding cleaning, maintenance and monitoring the floors for defects; failing to take measures to remove the dangerous condition prior to Plaintiff's injury; negligence per se; negligence based upon reasonable foreseeability; and negligence based on assumption of duty. Plaintiff asserts any other act of negligence that may apply and exist but has not been discovered at this time but may be discovered during discovery.

21.

Defendant Carr was negligent in that he did not maintain the floor surface in a safe condition, did not properly warn Plaintiff of the unreasonably dangerous condition on the floor, did not properly inspect the floor for hazardous conditions, or take steps to correct the dangerous condition.

22.

Defendant Carr knew or in the exercise of reasonable care, should have known that Plaintiff would be subject to accident and injury from the condition on the floor and in her path of travel. Plaintiff was without notice and unaware of the fact said floor and aisle area was dangerous. Plaintiff used due care for her own safety when on Defendants' property, and in no

manner contributed to the accident.

NEGLIGENCE OF JOHN DOES 1-3

23.

Plaintiff adopts by reference the foregoing paragraphs as if fully set forth herein.

24.

John Does 1-3 are alleged store staff, or other owners, managers or operators of Kroger who may have negligently acted or otherwise been a contributing cause to the injuries of the Plaintiff. John Does 1-3 may have been employed or acting as stores employees or other staff or owners and on the property at the time Plaintiff was injured. John Does 1-3 will be named when and if they are located and found to be party to this cause.

25.

At the time of the serious injuries of the Plaintiff, all Defendants had failed to fulfill their joint, several, and/or collective duties of providing ordinary, reasonable maintenance of the Kroger property and to take other such reasonable precautions or measures to protect invitees from foreseeable harm and danger, including the harm suffered by the Plaintiff.

DAMAGES

26.

As a direct and proximate result of the above and foregoing acts and omissions on the part of the Defendants, and without any negligence of the Plaintiff, she received injuries including, but not limited to her arm, neck, back, and other injuries to her muscular, skeletal, and nervous systems. Plaintiff has incurred medical and is currently treating with physicians and is expected to continue to require future medical treatment for her injuries. Specifically, Plaintiff has undergone surgery on her arm due to the injuries sustained in this fall. Plaintiff has also

suffered severe emotional, mental and physical pain and suffering from this incident. Plaintiff reasonably anticipates future damages proximately caused by said negligence of Defendants, including future medical expenses, future pain, suffering and mental anguish, permanent physical impairment, permanent disfigurement, and other damages.

CLAIMS FOR RELIEF

27.

Plaintiff adopts and incorporate by reference the foregoing paragraphs.

28.

Defendants, individually, jointly and severally, owed to Plaintiff an ordinary duty of care. Defendants breached said duty owed to the Plaintiff and were negligent by failing to reasonably inspect, monitor and make safe the premises from the foreseeable harm suffered by the Plaintiff, including the failure to properly maintain and perform upkeep on the Kroger property.

29.

As a result and proximate consequence of the Defendants' negligence, breach of their duty of care, the Plaintiff suffers physical pain and injuries, ongoing chronic pain, as well as, emotional pain and suffering and can reasonably be expected to incur further physical and emotional pain and suffering in the future. Plaintiff, therefore, is entitled to all damages of every type and variety that are permitted by law, including but not limited to, past/present/future physical and mental pain and suffering; past/present/future medical expenses, and lost wages. Plaintiff is further entitled to other general damages as well as punitive damages.

WHEREFORE PREMISES CONSIDERED, the Plaintiff demands a trial by jury and judgement from Defendants Kroger Co., Paul Carr, Jessica Holly and John Does 1-3 jointly and

severally for actual, compensatory, consequential and incidental damages in an amount exceeding the jurisdictional minimal limits of this Court for compensatory damages and for punitive damages including all expenses and costs of this civil action, and such other general relief as the Court and jury deem just.

RESPECTFULLY SUBMITTED,
Martha Kay Tynes, Plaintiff

BY: _____



MATT NEWMAN

R. PAUL WILLIAMS, III (MSB #102345)
MATT NEWMAN (MSB#103654)
WILLIAMS NEWMAN WILLIAMS, PLLC
Post Office Box 23785
Jackson, Mississippi 39225
Tel: (601) 949-5080
Fax: (601) 949-3358
Attorneys for Plaintiff

COVER SHEET		Court Identification Docket #		Case Year	Docket Number
Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">2022</div>	<div style="border: 1px solid black; padding: 2px;">209</div>
		<div style="border: 1px solid black; padding: 2px;">25</div> <div style="border: 1px solid black; padding: 2px;">11</div> <div style="border: 1px solid black; padding: 2px;">00209</div>			

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT, CITY OF _____

Docket No. _____ - _____ Docket No. If Filed
File Yr Chronological No. Clerk's Local ID Prior to 1/1/94 _____

DEFENDANTS IN REFERENCED CAUSE - Page 1 of _____ Defendants Pages
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Defendant #2:

Individual: Carr Paul (_____) _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant #3:

Individual: Holly Jesica (Tillman) _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

Defendant #4:

Individual: _____ (_____) _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

____ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

____ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

____ Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) _____ Not an Attorney(✓) _____

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

TO: Jessica Tillman Holly
333 Mallory Drive
Byram, Mississippi 39272

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under the hand and the seal of said Court, this the 7 day of April, 2022.



BY:

M. Green

D.C.

ZACK WALLACE, CIRCUIT CLERK

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

TO: The Kroger Co.
c/o its Registered Agent, Corporation Service Company
7716 Old Canton Rd., Suite C
Madison, MS 39110

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 7 day of April, 2022.



BY: M. Green

D.C.

ZACK WALLACE, CIRCUIT CLERK

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

**THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3**

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

**TO: Paul Carr
429 Gallatin Street
Jackson, Mississippi 39203**

NOTICE TO DEFENDANT

**THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

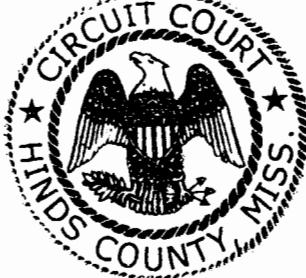
You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Amended Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 7 day of April, 2022.



By: M. Green
D.C.

PROOF OF SERVICE – SUMMONS

Name of Person or Entity Served: Jessica Tillman Holly

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set fourth below (Process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used)

() FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid) copies to the person served, together with the copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attached completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B)

☒ PERSONAL SERVICE. I have personally delivered copies of the summons and complaint on the 14 day of JULY, 2022 to: Jessica Tillman Holly, where I found said person in Hinds County in the State of Mississippi.

() RESIDENCE SERVICE. After due diligence I was unable to deliver copies of the summons and complaint to _____ within _____ County, Mississippi. I served the summons and complaint on the ____ day of _____, 2021, at the usual place of abode of said _____, by leaving a true copy of said summons and complaint with _____, who is the _____, a member of the family of the person served above the age sixteen years and willing to receive the summons and complaint, and thereafter on the ____ day of _____, 2021, I mailed (by first class mail, postage prepaid) copies to the person served at his or her place of abode where the copies were left.

() CERTIFIED MAIL SERVICE. By mailing to an address outside of Mississippi (by first class mail, postage prepaid, requiring return receipt) copies to the person to be served. (Attach signed return receipt or other evidence of actual delivery to the person to be served.)

Fee for Service \$ _____

Process server must list below: [Please print or type]

Name Eagle Eye Investigations & Security, LLC
Address: P.O. Box 1085 Terry, Ms. 39170
Telephone No. _____

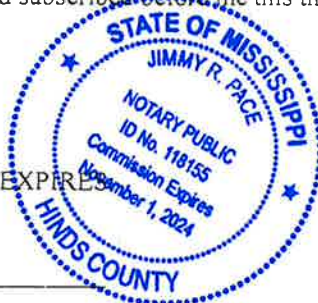
State of Mississippi
County of Hinds

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named Daniel Pace who by me first being duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Daniel Pace

Process Server (signature)

Sworn to and subscribed before me this the 23 day of JULY, 2022



Jimmy R. Pace
NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES _____

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

TO: Jessica Tillman Holly
333 Mallory Drive
Byram, Mississippi 39272

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.



ISSUED UNDER HAND AND SEAL OF SAID COURT, this the 7 day of April, 2022.

BY:

M. Green

D.C.

ZACK WALLACE, CIRCUIT CLERK

PROOF OF SERVICE - SUMMONS and COMPLAINT
(Process Server)

The Kroger Co. via Corporation Service Company
Name of Person or Entity Served

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

() FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender. (*Attach completed acknowledgment of receipt pursuant to M.R.C.P Form 1B*).

☒ PERSONAL SERVICE. I personally delivered copies to Corporation Service Co. on the 27th day of July, 2022, where I found said person(s) in Madison county of the State of MS.

() RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within _____ county of the state of _____. I served the summons and complaint on the _____ day of _____, 2022, at the usual place of abode of said person by leaving a true copy of the summons and complaint with _____ who is the _____ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the _____ day of _____, 2022, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

() CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (*Attach signed return receipt or the return envelope marked "Refused".*)

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \$ _____

Process server must list below: [*Please print or type*]

Name: Willie Woods
Address: 712 Catkins
Brandon MS
Telephone No. 601-540-8421

State of ms)
County of Clarks)

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named Willie Woods who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service - Summons are true and correct as therein stated.

3/1/22

PROCESS SERVER

Sworn and subscribed before me, this the 27th day of July, 2022.

NOTARY PUBLIC

My Commission Expires



IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO. 22-209

THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

TO: The Kroger Co.
c/o its Registered Agent, Corporation Service Company
7716 Old Canton Rd., Suite C
Madison, MS 39110

*109 Executive Dr.
Suite 3
Madison MS 39110*

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.



ISSUED BY COURT hand and the seal of said Court, this the 7 day of April, 2022.

BY: M. Green

D.C.

ZACK WALLACE, CIRCUIT CLERK

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

MARTHA KAY TYNES

PLAINTIFF

vs.

CIVIL ACTION NO.: 22-209

**THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3**

DEFENDANTS

**PLAINTIFF'S MOTION FOR ADDITIONAL TIME TO SERVE
DEFENDANT, PAUL CARR, WITH PROCESS**

COMES NOW the Plaintiff, by and through counsel undersigned, pursuant to Rule 4 of the *Mississippi Rules of Civil Procedure*, and files her Motion for Additional Time to Serve Defendant, Paul Carr, with Process, and in support thereof would show unto the Court the following:

1. On or about April 7, 2022, the Plaintiff filed her Complaint against the Defendants in the Circuit Court of the First Judicial District of Hinds County, Mississippi in regards to the incident which occurred on June 27, 2020.

2. The Plaintiff has served the Defendants, The Kroger Co. and Jessica Tillman Holly, with process. However, the Plaintiff has been unable to serve the Defendant, Paul Carr, with process.

3. It was believed that Defendant Carr resided at 429 Gallatin Street in Jackson, Mississippi.

4. Counsel for the Plaintiff hired a process server/investigator to effectuate service of process on Defendant Carr at the foregoing address. However, it appears Defendant does not reside at said address. The process server also attempted to serve Defendant Carr with process at Kroger in Madison, MS, but was unsuccessful. Plaintiff's counsel and said process server/investigator are in the process of locating the Defendant, Carr.

5. Plaintiff would show that she has acted in good faith and been diligent in attempting to serve Defendant Carr since the filing of her lawsuit. She has incurred significant expense in trying to locate said Defendant Carr and continues to incur such costs as efforts to locate Defendant Carr persist. Plaintiff would show that the lack of process on said Defendant is not due to any failure to act nor lack of diligence on the part of the Plaintiff, whatsoever. Plaintiff would ask this Court for an additional one hundred twenty (120) days to attempt to serve Defendant Jones with process.

6. Plaintiff would show that the relief requested in this Motion would not work to prejudice the rights of Defendant Carr. Plaintiff has also not requested or been given a previous extension to serve process. For these reasons, Plaintiff would state that in the interest of judicial economy and fairness to the Plaintiff that she be allowed additional time to serve Defendant Paul Carr with process.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully requests that the Court grant her Motion for Additional Time to Serve the Defendant Carr with process, and enter its Order granting the Plaintiff one hundred, twenty (120) additional days from the date of said Order to serve Defendant Carr with process of this Court, and for such further relief consistent with this Motion, general or specific, which this Court may deem appropriate.

RESPECTFULLY SUBMITTED, this the 4th day of August, 2022.

MARTHA KAY TYNES, PLAINTIFF

BY: /s/ Matt Newman
MATT NEWMAN, ESQ.

OF COUNSEL:

R. PAUL WILLIAMS, III (MSB #102345)
MATT NEWMAN (MSB #103654)
COURTNEY M. WILLIAMS (MSB #102347)
WILLIAMS NEWMAN WILLIAMS, PLLC
129B South President Street
Post Office Box 23785
Jackson, Mississippi 39225
Tel: (601) 949-5080
Fax: (601) 949-3358
ATTORNEYS FOR THE PLAINTIFF

PROOF OF SERVICE – SUMMONS

Name of Person or Entity Served: Paul Carr

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set fourth below (Process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used)

() FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid) copies to the person served, together with the copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attached completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B)

☒ PERSONAL SERVICE. I have personally delivered copies of the summons and complaint on the 5 day of August, 2022 to: Paul Carr, where I found said person in Bolivar County in the State of Mississippi.

() RESIDENCE SERVICE. After due diligence I was unable to deliver copies of the summons and complaint to _____ within _____ County, Mississippi. I served the summons and complaint on the _____ day of _____, 2021, at the usual place of abode of said _____, by leaving a true copy of said summons and complaint with _____, who is the _____, a member of the family of the person served above the age sixteen years and willing to receive the summons and complaint, and thereafter on the _____ day of _____, 2021, I mailed (by first class mail, postage prepaid) copies to the person served at his or her place of abode where the copies were left.

() CERTIFIED MAIL SERVICE. By mailing to an address outside of Mississippi (by first class mail, postage prepaid, requiring return receipt) copies to the person to be served. (Attach signed return receipt or other evidence of actual delivery to the person to be served.)

Fee for Service \$ _____

Process server must list below: (Please print or type)

Name Eagle Eye Investigations &Address: Security, LLCTelephone No. P.O. Box 1085 Terry, Ms. 39170601-291-2321

State of Mississippi

County of Hinds

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named Danies Pace who by me first being duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Daniel Pace

Process Server (signature)

Sworn to and subscribed before me this the 7 day of August, 2022

MY COMMISSION EXPIRES:

Jimmy R. Pace

NOTARY PUBLIC

(SEAL)

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

MARTHA KAY TYNES

PLAINTIFF

VS.

CIVIL ACTION NO. 22-209

THE KROGER CO;
PAUL CARR; JESSICA TILLMAN HOLLY
AND JOHN DOES 1-3

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI, TO THE SHERIFF OF HINDS COUNTY, OR ANY OTHER LAWFUL PERSON:

TO: Paul Carr
429 Gallatin Street
Jackson, Mississippi 39203

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to:

Matt Newman
WILLIAMS NEWMAN WILLIAMS PLLC
129 S. President Street, Suite B
Jackson, MS 39201
Phone: (601) 949-5080

Your response to the Complaint must be mailed or delivered within thirty [30] days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Amended Complaint. Your response to the First Set of Interrogatories and Request for Production of Documents attached to the Complaint must be mailed or delivered within forty-five [45] days from the date of delivery of this Summons.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 7 day of April, 2022.



BY: M. Green
D.C.